REMARKS

I.   Status of the Claims:

Claims 1-89 are pending in the application.

By this Amendment, claims 1, 12, 13, 17, 27, 32, 34, 45, 50, 51 and 72-80 have been amended, and new dependent claims 90 and 91 have been added. No new matter is believed to have been introduced by this Amendment.

Upon entry of this Amendment, claims 1-91 would be pending.

II.   Objection to Claims:

The Examiner has objected to claim 12 as containing minor informalities, particularly the term "sever". Upon review of the claims, Applicants note that the objected term "sever" is not in claim 12 but rather in claim 13. Accordingly, Applicants have amended claim 13 to replace the typographical error "sever" with --server--. Thus, reconsideration and withdrawal of the objection of these claims are respectfully requested.

III.   Rejections under 35 U.S.C. §101:

Claims 1-80 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. In general, the Examiner indicates that the claims (e.g., method claim 1) do not define within the body of the claim the hardware in which the invention runs. As to claims 72-80, the Examiner indicates that there is no hardware embodiment in which the claim language is embodied.

As to claims 52-71, these system claims, particularly the independent claims, are written in means-plus-function language pursuant to 35 U.S.C. §112, ¶6. Thus, there is no

requirement that the body of the claim specifically describe hardware as indicated by the Examiner. Accordingly, claims 52-71 are believed to satisfy the requirements of 35 U.S.C. §101.

As to claims 1-51, Applicants have amended independent claims 1, 12, 17, 27, 32, 34, 45, 50 and 51 to recite that the method is implemented by a computer. Accordingly, claims 1-51 are believed to satisfy the requirements of 35 U.S.C. §101.

Finally, as to claims 72-80, Applicants have generally amended each of these claims to further recite that the article comprises computer readable medium having computer readable code which when executed by a computer performs the following method as claimed. Accordingly, claims 72-80 are believed to satisfy the requirements of 35 U.S.C. §101.

In view of the foregoing, reconsideration and withdrawal of the rejections of these claims are respectfully requested.

IV.   Rejections Under 35 U.S.C. §102 and §103:

Claims 1-11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,151,643 to Cheng et al. (hereinafter "Cheng"). Claims 12-18, 23, 26, and 27-33, 45-60, 62-67, 69-76, 78-85 and 87-89 are rejected under the same grounds as claims 1-11. Claims 19-22, 34-44, 61, 68, 77, and 88 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cheng in view of U.S. Patent No. 5,421,009 to Platt (hereinafter "Platt"). Claims 24-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cheng in view of U.S. Patent No. 5,919,247 to Van Hoff et al. (hereinafter "Van Hoff"). Applicants respectfully traverse the rejection of these claims, for the reasons set forth below.

1.   **Independent Claims 1, 12, 17, 27, 34, 50-52, 58, 59, 63, 67, 68, 70-77, 79-86, 88 and 89:**

Claim 1 is directed to an arrangement involving searching locally for the code for the feature; requesting the code for the feature from a server component in the network; receiving the code for the feature from the server component; and activating the feature. That is, the code which is locally searched for is that which is subsequently requested from a server component, received and activated.

On the contrary, Cheng as relied upon by the Examiner does not disclose or suggest the claimed searching locally for the code for the feature. As relied upon by the Examiner, Cheng describes the following:

> The client application 104 then analyzes 204 the client computer 101 to determine a list of installed software products. The list of installed software products typically includes applications, system utilities, drivers, and other executables or resources. These software products will typically be from numerous diverse software vendors, a number of whom will maintain software vendor computers 103 on the network 106. [Cheng, col. 7, lines 46-53; see also Office Action, page 3]

The determined installed software products clearly are not that which is subsequently requested from a server component, received and activated. Accordingly, Cheng does not disclose or suggest the claimed searching locally for the code for the feature and the subsequent claimed operations of requesting, receiving and activating pertaining to the locally searched code for the feature. Thus, claim 1 and the claims dependent therefrom are distinguishable over the cited references.

For similar reasons as described for claim 1, claims 12, 17, 27, 34, 50-52, 58, 59, 63, 67, 68, 70-77, 79-86, 88 and 89 and their dependent claims are also distinguishable over the cited references.

2.   Independent claims 69, 78 and 87

Claim 69 is directed to an arrangement involving means for receiving code for a feature; means for determining whether a client needs the feature; and means for transferring the code for the feature to at least one client. That is, code is received and then transferred to at least one client.

As best understood, Cheng as relied upon by the Examiner simply describes software being directly downloaded to the client from the software vendor computer. See Cheng, col. 8, lines 36-42. As such, Cheng as relied upon by the Examiner appears to be silent as to the code being received and then transferred to at least one client. Thus, Cheng does not disclose or suggest receiving code for a feature and transferring the code for the feature to at least one client. Accordingly, claim 69 is believed to be distinguishable over the cited references.

For similar reasons as indicated above for claim 69, claims 78 and 87 are also distinguishable over the cited references.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 3802-4032.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 3802-4032.

Respectfully submitted,
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